

**THE HONORABLE MARY JO HESTON  
CHAPTER 13**

**HEARING DATE: October 1, 2019**

**HEARING TIME: 1:00 P.M.**

**LOCATION: Vancouver, Washington**

**RESPONSE DATE: September 24, 2019**

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

BILLY VERNON SHOPE and  
NINA JANE SHOPE,

Debtors.

Case No.: 19-42341-MJH

OBJECTION TO CONFIRMATION WITH  
STRICT COMPLIANCE

**COMES NOW**, Michael G. Malaier, Chapter 13 Standing Trustee, and objects to  
confirmation as follows:

**BACKGROUND**

Debtors filed this Chapter 13 case on July 18, 2019. The applicable commitment period is thirty-six months. The case is currently in the second month and the Meeting of Creditors has been completed. The bar date for filing non-governmental claims is September 26, 2019. Scheduled unsecured claims total \$176,477.85. The Trustee estimates that under the proposed plan general unsecured creditors will receive approximately \$0.00.

OBJECTION TO CONFIRMATION

**OBJECTION**

☒ Plan is not feasible:

The plan is not adequately funded to pay all secured, priority, and unsecured claims, along with administrative expenses, provided for in the plan. *See* Declaration of Ruth Wilson.

**WHEREFORE**, Trustee requests that the objection to confirmation be sustained and debtors be ordered to file a motion to confirm a plan resolving the issues raised herein within 14 days of entry of the Order Sustaining Trustee's Objection to Confirmation; and to set the hearing on the next available motion calendar after the 14 days expires. If the Motion to Confirm resolving the Trustee's issues is not filed and set for hearing as outlined above, the Trustee requests he be allowed to enter an order dismissing the case, *ex parte*, without notice.

**DATED** this 13th day of September, 2019.

/s/ Mathew S. LaCroix

Mathew S. LaCroix, WSBA# 41847 for  
Michael G. Malaier, Chapter 13 Trustee

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**CERTIFICATE OF MAILING**

I certify under penalty of perjury under the laws of the United States that on September 13, 2019, I caused to be mailed via regular mail a true and correct copy of the Trustee's Objection to Confirmation and Declaration to the following:

Billy Vernon Shope  
Nina Jane Shope  
6809 Ortelius Drive  
Ilwaco WA 98624

The following parties received Trustee's Objection to Confirmation and Declaration via ECF:

Lesley D. Bohleber  
Ellen Ann Brown  
United States Trustee

Executed at Tacoma, Washington this 13th day of September, 2019.

/s/ Ruth Wilson  
Motion Coordinator for  
Michael G. Malaier, Chapter 13 Trustee